HYBRID TITLE 38

The Saga Continues…….
Issues To Cover

- Where are we now?
- Next steps for Boards.
- Changes to Functional Statements
- Preparing a Complete Boarding Packet
- Promotions and Appeals
One-time special boarding (converting from Title 5 to Hybrid Title 38) should be complete.

Local, VISN, National Boards should be in place and active.

Tip O’Neill was right: “All politics is local.”
Packets for National Board sent to:
Jeffrey Burk, Ph.D.
Chief, Psychology Service (116B)
North Florida/South Georgia Veterans Health System
1601 SW Archer Rd.
Gainesville, FL 32608
Fax: 352-379-4026

E-mail questions…be persistent!
Next Phase

- Functional Statement reviews
- Appointments
- SAAs
- Promotions/Reconsiderations
- Appeals
Changes to Functional Statements

- Must include general description of job duties
- Functions/scope of duties (major duties and responsibilities)
- Supervisory controls (clinical and administrative)
- Cite applicable qualification standards
- Customer service requirements
- Age, development, cultural needs of patients
- Computer security requirement
Other Considerations for Functional Statements

- Reviewed every two years to verify accuracy
- Superseded functional statements kept for two years
- New functional statements when new position established or when duties/responsibilities significantly altered
- Supervisor signs at bottom of functional statement
- One copy each to employee, service file, HR
See HRML, summary, sample functional statement at:

http://www.avapl.org/documents.html
Putting Together a Complete Boarding Packet

- Transmittal Sheet/Memo from HR indicating review and identifying HR contact.
- New Board Action Form (page 1 completed)
- Copy of Previous Board Action Form
- Memo of Support from Supervisor
- Functional Statement (must include KSAs for job being considered and percentage of time in each element)
- Vita
- Organizational Chart (with proposed position highlighted)

APA Convention
August 15, 2008
Beyond one-time special boarding process, SAAs cover from anniversary date of grade to anniversary date of grade.

SAAs are for activities outside of VA job duties that occur while employed at VA.

SAAs for research activities among most difficult to award.
Promotions/Appeals

- One-time special boarding cannot be appealed.
- Initial appointments cannot be appealed.
- UNLESS....a procedural error can be identified.
- Most frequent question: “Why didn’t I get promoted?”
  - Board deliberations are confidential.
  - CRS syndrome.
  - Most likely, promotion denied because job duties did not meet the scope and complexity required for GS-14 or GS-15.

APA Convention  August 15, 2008
Promotions/Appeals

- Initial appointments at or below full performance level must be boarded.
- Promotions at or below full performance level are administrative and do not require boarding.
  - Effective on first day of first full pay period following approval.
- Denials must be in writing
  - May be reconsidered at next anniversary date of grade
  - Employee may request reconsideration.
Promotions above full performance level

- Employee may submit on anniversary date of grade.
  - Supervisor may deny; employee can ask for reconsideration.
- May be considered when selected for supervisory or managerial positions or other positions specified in qualification standards.
- Submit Board Action to National Board.
Decisions not to promote communicated in writing, including:
  - Reason for decision
  - Right to request reconsideration
  - Reconsideration must be preceded by informal discussion with supervisor

Reconsideration at or below full performance level:
  - Employee submits written request to ultimate supervisor (through intermediate supervisor) within 30 days
  - Must indicate when discussion with supervisor took place
  - Must cite reason(s) why decision was not proper
  - 30-day deadline can be extended by supervisor
Reconsideration at or below full performance level (continued)
- Supervisor reviews request within 30 days.
- If promoted, promotion effective on first day of first pay period following approval.
- If denied, communicated in writing with reasons for denial.
  - Employee can request reconsideration by next supervisory level.
Reconsideration above full performance level

- Employee submits within 30 days written request through supervisor to next higher-level board.
- 30-day deadline can be extended by supervisor.
- Request must indicate when informal discussion with supervisor was held and reason(s) why decision was not proper.
- Supervisor reviews and comments on employee’s request in writing, provides copy to employee.
- Professional Standards Board reviews request and accompanying documents, makes recommendation.

APA Convention August 15, 2008
Reconsideration above full performance level (continued)

- Professional Standards Board forward recommendations to approving official.
- Approving official:
  - Requests additional information to make decision. May meet with PSB, employee, and/or supervisor.
  - Approve employee’s promotion.
  - Disapprove promotion; notify employee in writing.
Reconsideration of National Board recommendations:
- National Board reviews its recommendations.
- If the facility Director is making the decision, the request for reconsideration goes to VISN Director for final determination.
- If the VISN Director or higher is making the decision, the request for reconsideration goes to the Under Secretary for Operations and Management (currently, William Feeley).
- Requests for promotion consideration are excluded from Agency Grievance Procedure.
Setting Steps

- Appointments are made at the minimum step of the grade unless authorized a higher step because they have prior Federal service).

- May also receive a higher step based on the individual’s existing pay, recent salary history, competing job offer, higher or unique qualifications or special needs of the VA.
Setting Steps

- It is the role of the Hybrid Title 38 Standards Board to recommend both the grade and the step on appointment.
- Other personnel actions (for example, promotions) are subject to Title 5 pay administration rules. For these types of actions the board does not recommend the step; instead Human Resources staff is responsible for calculating the appropriate step based on the applicable pay administration rule.
Questions?